

Minutes

Board of Trustees – Firestone Town Hall
151 Grant Avenue, Firestone, CO 80520
7:00 p.m.

February 14, 2008

Regular Board Meeting

The Town Board of Trustees of the Town of Firestone met in regular session at Town Hall, 151 Grant Avenue, Firestone, Colorado. Mayor Mike Simone called the meeting to order at 7:00 p.m. Roll call was taken with the following persons present:

<i>Mayor:</i>	<i>Michael Simone</i>	
<i>Mayor Pro-tem:</i>	<i>Dennis Bertron</i>	<i>(absent/excused)</i>
<i>Trustees:</i>	<i>Butch Walb</i>	
	<i>Julie Crowder</i>	
	<i>Charlie Thomas</i>	
	<i>Steve Curtis</i>	
	<i>Sharon Falcone</i>	

Also present were:

Cheri Andersen, Town Administrator
Judy Hegwood, Town Clerk, CMC
Sam Light, Town Attorney
Wesley LaVanchy, Finance Director
Bruce Nickerson, Town Planner
Dave Lindsay, Town Engineer
David Montgomery, Police Chief

PLEDGE OF ALLEGIANCE

All rose for Pledge of Allegiance to the flag.

APPROVAL OF AGENDA

Mayor Simone called for additions, deletions or changes to the agenda. There were no changes to the agenda.

APPROVAL OF CONSENT AGENDA

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- a. Approval of February 2008 Accounts Payable*
 - b. Approval of Minutes – 1/24/08 Regular Meeting*
 - c. Approval of Terracon Invoice - Soils Testing for Sports Complex Contract*

Mayor Simone made a minor correction to the Minutes.

Trustee Curtis moved and Trustee Thomas seconded, to approve the consent agenda, as amended. Roll call vote was taken. Motion carried.

PUBLIC HEARINGS

ORDINANCE ESTABLISHING REPLACEMENT/RESERVE FUNDS

Mayor Simone opened the public hearing at 7:10 p.m.

Finance Director Wesley LaVanchy explained that these reserve funds would accrue for future streets, parks, etc.

Public Comment

None.

Mayor Simone closed the public hearing at 7:15 p.m.

Board Comment

None.

Ordinance No. 668

AN EMERGENCY ORDINANCE ESTABLISHING NEW FUNDS FOR ACCOUNTING OF FUNDS ACCUMULATED FOR REPAIR, IMPROVEMENT AND REPLACEMENT OF TOWN BUILDINGS AND EQUIPMENT, HIGHWAYS AND STREETS, PARKS AND PARK EQUIPMENT, FLEET VEHICLES AND EQUIPMENT; AND STORM WATER FACILITIES; ESTABLISHING PROCEDURES RELATED TO BUDGETING FOR SUCH FUNDS; AND MAKING RELATED AMENDMENTS TO THE FIRESTONE MUNICIPAL CODE

Trustee Curtis moved and Trustee Falcone seconded, to adopt Ordinance No. 668. Roll call vote was taken. Motion carried.

RESOLUTION FOR RESERVE FUND APPROPRIATIONS

Mayor Simone opened the public hearing at 7:16 p.m.

Finance Director Wesley LaVanchy explained that these reserve funds will come from the general fund to the newly established reserve funds.

Public Comment

None.

Mayor Simone closed the public hearing at 7:20 p.m.

Board Comment

None.

Resolution No. 08-03

A RESOLUTION AMENDING THE 2008 BUDGET BY TRANSFERRING GENERAL FUND REVENUES TO THE TOWN'S INFRASTRUCTURE REPLACEMENT RESERVE FUNDS.

Trustee Falcone moved and Trustee Thomas seconded, to adopt Resolution No. 08-03. Roll call vote was taken. Motion carried.

ACTION ITEMS

RESOLUTION ADOPTING CERTAIN FINANCIAL POLICIES OF THE TOWN OF FIRESTONE RELATED TO THE BUDGETING PROCESS

Resolution No. 08-04

A RESOLUTION ADOPTING CERTAIN FINANCIAL POLICIES OF THE TOWN OF FIRESTONE RELATED TO THE BUDGETING PROCESS

Trustee Walb moved and Trustee Curtis seconded, to adopt Resolution No. 08-04. Roll call vote was taken. Motion carried.

CONTRACT FOR COPIER FOR NEW MODULAR

Resolution No. 08-05

A RESOLUTION APPROVING A MASTER MAINTENANCE & SALE AGREEMENT, WORK ORDER AND ADDENDUM BETWEEN THE TOWN OF FIRESTONE AND IKON OFFICE SOLUTIONS, INC. FOR PURCHASE AND SERVICE OF A COPIER

Trustee Falcone moved and Trustee Curtis seconded, to adopt Resolution No. 08-05. Roll call vote was taken. Motion carried.

RESOLUTION AUTHORIZING THE DELEGATION OF AUTHORITY TO THE CITY AND COUNTY OF DENVER FOR THE PARTICIPATION IN THE METRO MORTGAGE ASSISTANCE PROGRAM

Resolution No. 08-06

A RESOLUTION STATING THE TOWN OF FIRESTONE'S INTENT TO PARTICIPATE IN THE METRO MORTGAGE ASSISTANCE PROGRAM LED BY THE METRO MAYORS CAUCUS AND THE CITY AND COUNTY OF DENVER, TO PROVIDE MORTGAGE ASSISTANCE TO FIRST-TIME HOMEBUYERS

Trustee Falcone moved and Trustee Crowder seconded, to adopt Resolution No. 08-06. Roll call vote was taken. Motion carried.

CHANGE ORDER – HALL IRWIN CONTRACT SPORTS COMPLEX

Trustee Thomas moved and Trustee Walb seconded, to approve the change order expenditure of \$11,311.34 to Hall Irwin, making the new contract amount \$1,662,536.26, for the Sports Complex. Roll call vote was taken with Trustee Curtis voting Nay. Motion carried 4-Yea; 1-Nay.

PUBLIC HEARING

FIRESTONE CITY CENTRE TRACT B REPLAT

Mayor Simone opened the public hearing at 7:25 p.m.

Town Planner Bruce Nickerson introduced the project showing a Power Point Presentation and entering it into the record. The project is located on the corner of Firestone Boulevard and the I-25 Frontage Road. There will be four (4) lots that will be separated into separate pads and being approximately one (1) acre plus. Lot four will be closest to the Home Depot site and access will be from an internal road.

Attorney Sam Light read the new condition that recognizes that Tract D be given to THF.

Applicant Comment

Ms. Karen Blumenstein addressed the Board of Trustees after being sworn in by Mayor Simone. Ms. Blumenstein stated that this is a Minor Plat and "Good Times" restaurant will be located on Lot three (3).

Public Comment

There was no public comment.

Mayor Simone closed the public hearing at 7:36 p.m.

Board Comment

Trustee Falcone asked to view the site on the Power Point Presentation.

Resolution No. 08-07

A RESOLUTION APPROVING A FINAL PLAT FOR THE FIRESTONE CITY CENTRE SUBDIVISION FILING NO. 2

Trustee Falcone moved and Trustee Thomas seconded, to adopt Resolution No. 08-07. Roll call vote was taken. Motion carried.

Attorney Light gave the friendly amendments. Trustees Falcone and Thomas accepted the friendly amendments.

EXECUTIVE SESSION

Mayor Simone called for a motion to enter into executive session.

Trustee Falcone moved and Trustee Curtis seconded, to enter into executive session for a conference with the town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Roll call vote was taken. Motion carried with a vote of 5-Yea; 0-Nay. [7:38 p.m.]

Attorney Sam Light said the purpose of the executive session is to give legal advice for the pending litigation of Egan v. Town of Firestone et. al. and stating that Attorney Nathan will be present in the executive session.

The board re-convened from executive session at 8:39 p.m.

Mayor Simone stated that the persons in attendance were Attorney Light, Administrator Cheri Andersen, Attorney Nathan, Trustees Falcone, Curtis, Thomas, Crowder, Walb and himself.

ACTION ITEMS

Resolution No. 08-08

A RESOLUTION APPROVING A FINAL DEVELOPMENT PLAN FOR FIRELIGHT PARK NO. 1

Trustee Curtis moved and Trustee Crowder seconded, to adopt Resolution No. 08-08. Roll call vote was taken. Motion carried.

Resolution No. 08-09

A RESOLUTION APPROVING A FINAL DEVELOPMENT PLAN FOR FIRELIGHT PARK NO. 2

Trustee Curtis moved and Trustee Crowder seconded, to adopt Resolution No. 08-09. Roll call vote was taken. Motion carried.

Resolution No. 08-10

A RESOLUTION APPROVING A FINAL DEVELOPMENT PLAN FOR FIRELIGHT PARK NO. 3

Trustee Curtis moved and Trustee Crowder seconded, to adopt Resolution No. 08-10. Roll call vote was taken. Motion carried.

TOWN ADMINISTRATOR CONTRACT

Current Finance Director Wesley LaVanchy will become the Town Administrator, effective March 1, 2008, with the approval of this contract.

Trustee Falcone moved and Trustee Crowder seconded, to approve the Town Administrators Contract for Wesley LaVanchy, effective March 1, 2008. Roll call vote was taken. Motion carried.

TOWN MANAGER CONTRACT

Current Town Administrator Cheri Andersen will become the Town Manager, effective March 1, 2008, with the approval of this contract.

Trustee Falcone moved and Trustee Curtis seconded, to approve the Town Managers Contract for Cheri Andersen, effective March 1, 2008. Roll call vote was taken. Motion carried.

DISCUSSION ITEMS

UPDATES TO DEVELOPMENT REGULATIONS REGARDING OIL & GAS

Attorney Sam Light stated that certain provisions need to be updated in the Development Regulations and explained the new legislation on oil & gas wells. He said this will come before the Board of Trustees at the February 28, 2008 Board Meeting.

PARTICIPATION FROM UNSCHEDULED CITIZENS NOT LISTED ON THE AGENDA

There was citizen comment from the following people:

1. Mr. Mike Shiers introduced himself to the Board as District Representative for the St. Vrain Valley School District.

STAFF REPORTS

Administrator Cheri Andersen stated that there is a Joint Work Session scheduled for March 1, 2008 at 6:00 p.m. and the location has not yet been decided. Senator Shawn Mitchell and Glenn Vaad will be present, and a tentative agenda given out at a later date. Mayor Simone and Trustee Curtis said they would be attending and Trustee Crowder and Thomas said they would not be attending.

Majestic Flooring will be holding their Grand Opening on Friday, March 14, 2008 at 6:00 p.m. with Mayor Simone cutting the ribbon.

Planner Bruce Nickerson showed a Power Point presentation of the Firestone Sports Complex.

BOARD REPORTS

Trustee Falcone reported that Administrator Cheri Andersen, Intern Matthew Brozek and herself attended the Positive Leadership for Government Meeting.

Trustee Walb stated that grass could be planted for approximately \$500 on both sides of Hart Park.

Mayor Simone asked that the Police Polygraph information be placed on the next Work Session Agenda.

ADJOURNMENT

Trustee Thomas moved and Trustee Crowder seconded, to adjourn the meeting. The meeting adjourned at 9:29 p.m.

TOWN OF FIRESTONE, COLORADO

ATTEST:

Michael Simone, Mayor

Judy L. Hegwood, CMC, Town Clerk

READ AND APPROVED THIS 28th DAY OF February, 2007.